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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/397,578	09/16/1999	KEVIN PORTER	RIC-99-006	8934

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EXAMINER

BUI, BING Q

ART UNIT PAPER NUMBER

2642

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/397,578

Applicant(s)
Porter et al

Examiner
Bing Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 19, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. This action is in response to applicant's response filed on Mar 119, 2002. Claims 1-21 are now pending in the present application. **This action is made final.**

Claim Rejections - 35 U.S.C. § 102

2. Claims 1-5, 10, 18 and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by La Porta et al (US Pat No. 6,041,103).

Regarding claim 1, with respect to Figs 3-4, La Porta et al teach the invention as claimed, a method for implementing a call in a telecommunications network comprising the steps of:

receiving by the special server 120 (first destination) a request from a caller 100 who dials the number of the called party to forward calls directed to a first destination (special server 120) to a second destination (called party 200) (Figs 3-4 and col 5, ln 1-21); and

first destination (special server 120) contacting the second destination (called party 200) to obtain an approval for forwarding calls to called party 200 (the second destination) (Figs 3-4 and col 5, ln 1-21).

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Regarding claim 2, with respect to Figs 3-4, La Porta et al further teach the step of denying the request to forward calls when the approval is not obtained (Figs 3-4 and col 5, ln 1-21).

Regarding claim 3, with respect to Figs 3-4, La Porta et al further teach the step of granting the request to forward calls when the approval is obtained (Figs 3-4 and col 5, ln 1-21).

Regarding claim 4, with respect to Figs 3-4, La Porta et al teach the invention as claimed, wherein the step of contacting comprises placing a call to the second destination and requesting the approval (Figs 3-4 and col 5, ln 1-21).

Regarding claim 5, with respect to Figs 3-4, La Porta et al teach the invention as claimed, wherein the telecommunications system includes an interactive voice response (IVR) unit that generates a voice message for requesting the approval (Figs 3-4 and col 5, ln 1-21).

Regarding claim 10, La Porta et al further teach the second destination is a telephone set (Fig 1, element 200).

As to claims 18 and 21, they are rejected for the same reasons set forth to rejecting claim 1 above, since claims 18 and 21 are merely a system for implementing the method defined in the method claim 1.

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As to claim 20, it is rejected for the same reasons set forth to rejecting claim 5 above, since claim 20 is merely a system for implementing the method defined in the method claim 5.

Claim Rejections - 35 U.S.C. § 103

3. Claims 1-6, 10 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lung et al (US Pat No. 6,292,549) in view of La Porta et al.

Regarding claim 1, with respect to Figs 1-3B, Lung et al teach the invention substantially as claimed, a method for implementing a call in a telecommunications network comprising the steps of:

receiving a request to forward calls directly to a first destination such as one of telephone sets 140 to a second destination such as another telephone set of the telephone sets 140 (Abstract; Figs 1 and 3B; col 8, ln 4-14).

Lung et al do not explicitly teach the method of contacting the second destination to obtain an approval for forwarding calls to the second destination. However it is obvious that Lung et al suggest the method of sending the caller ID information from the first destination to the second destination when requesting for forwarding the call which enable a user associated with the second destination to decide whether or not to accept the call. La Porta et al explicitly teach the method of contacting the second destination to obtain an approval for forwarding calls to the second destination (Figs 3-4 and col 5,

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In 1-21). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add the method of contacting the second destination to obtain an approval for forwarding calls to the second destination as taught by La Porta et al to provide the called party more control in handling the calls.

Regarding claims 2-3, the steps of denying the request to forward calls when the approval is not obtained and granting the request to forward calls when the approval is obtained are found in both Lung et al (col 9, ln 1-15) and La Porta et al (Figs 3-4 and col 5, ln 1-21).

Regarding claim 4, with respect to Figs 3-4, La Porta et al teach the invention as claimed, wherein the step of contacting comprises placing a call to the second destination and requesting the approval (Figs 3-4 and col 5, ln 1-21).

Regarding claim 5, with respect to Figs 3-4, La Porta et al teach the invention as claimed, wherein the telecommunications system includes an interactive voice response (IVR) unit that generates a voice message for requesting the approval (Figs 3-4 and col 5, ln 1-21).

Regarding claims 6 and 10, Lung et al teach the first and second destination are telephone sets (Abstract and Fig 1, elements 140).

As to claims 18 and 21, they are rejected for the same reasons set forth to rejecting claim 1 above, since claims 18 and 21 are merely a system for implementing the method defined in the method claim 1.

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Regarding claim 19, Lung et al teach a call forwarding, wherein the switch is a private branch exchange (PBX) (col 2, ln 4548).

As to claim 20, it is rejected for the same reasons set forth to rejecting claim 5 above, since claim 20 is merely a system for implementing the method defined in the method claim 5.

4. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lung et al in view of La Porta et al, and further in view of Yamadera et al (US Pat No. 5,444,477).

Regarding claims 7-9, the combination of Lung et al and La Porta et al teaches the invention substantially as claimed with the exception of providing first destination and second destination are computer systems which have capabilities of placing and receiving a call, respectively.

However, Yamadera et al teach the first destination and second destination are computer systems which have capabilities of placing and receiving a call, respectively (Abstract; Fig 1, elements 101-105 and col 2, ln 34-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate computer systems which have capabilities of placing and receiving a call as taught by Yamadera et al into the combined system of

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Lung et al and La Porta et al for providing more flexibility in communication implementation.

5. Claims 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamadera et al in view of Lung et al.

Regarding claim 11, with respect to Figure 1, Yamadera et al teach the invention substantially as claimed, a method for implementing a call in a telecommunications network having a first computer system and a second computer system comprising the steps of:

providing a configuration wherein a video communication session is initially directed to the first computer system (Abstract; Fig 1 and col 4, ln 66-col 5, ln 61);

receiving a request to direct the video communication session to the second computer system (Abstract; Fig 1 and col 5, ln 36-61);

redirecting the video communication session to the second computer system (Abstract; Fig 1 and col 5, ln 56-col 6, ln 2).

Yamadera et al do not explicitly teach the method of sending a communication to the second computer system to obtain approval of the request. However it is obvious that Lung et al suggest the method of sending a communication to the second computer system to inform the second computer system user that he or she is being called from a calling party over the video telephone line (col 5, ln 36-61). Having the

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cited suggestion at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the method of informing as taught by Yamadera et al to include the content of asking for approval before redirecting the call to provide the called party more control in handling the calls.

Regarding claim 12, with respect to Figure 1, Yamadera et al teach the invention substantially as claimed, wherein the video communication session is a video conferencing session (col 5, ln 36-col 6, ln 2).

Regarding claim 13, with respect to Figure 1, Yamadera et al teach the invention substantially as claimed, wherein the step of sending the communication comprises simultaneously sending speech, dynamic images, general data, etc. (electronic mail message) (col 2, ln 42-48 and col 5, ln 24-29).

Regarding claim 14, with respect to Figure 1, Yamadera et al teach the invention substantially as claimed, wherein the step of sending the communication comprises sending a video mail message (col 2, ln 42-48 and col 5, ln 24-29).

Regarding claim 15, with respect to Figure 1, Yamadera et al teach the invention substantially as claimed, wherein the step of sending the communication comprises sending a facsimile (col 7, ln 52-59).

Regarding claim 16, with respect to Figure 1, Yamadera et al teach the invention substantially as claimed, wherein the step of sending the communication comprises placing a phone call (col 2, ln 42-48 and col 5, ln 24-29).

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Regarding claim 17, Yamadera et al do not teach the invention as claimed. However, without accepting for receiving a call by a specific destination user, the call requested for forwarding to such destination user is inherent denied.

Response to Arguments

6. Applicant's arguments filed on Mar 19, 2002 have been fully considered but they are not persuasive.

As to Applicant's Remarks, Applicant mainly argues that La Porta et al fail to teach the step of "contacting the second destination to obtain an approval for forwarding calls to the second destination".

Examiner respectfully disagrees since as shown at column 5, lines 1-21, La porta et al teach a system in which a special server 120 (first destination) receives a call from a calling party 100 who places the call to a called party 200 (second destination), prompts the calling party for his message, puts the call on hold, then contacts with the called party 200 (second destination) by initiating a second call to the called party 200 (second destination) over which it delivers the voice or text message to the called party 200 (second destination) and finally, if the called party 200 (second destination) accepts (approves) the call or in another word, upon obtaining the acceptance (approval) for forwarding calls to him (second destination) or to another alternate forwarding point , the special server 200 (first destination) bridges the two calls and communication can

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begin. As it can be seen by one of ordinary skill in the art that without requesting for the call whether or not to be accepted or approved by the called party 200 (second destination), the special server 120 (first destination) does not have to wait until the called party 200 (second destination) accepts (approves) the call to complete connection between the calling party 100 and the called party 200 (second destination). Transparently, La Porta et al teach the invention as claimed.

For above reasons, Examiner respectfully maintain La Porta et al for supporting the Examiner's Final Action.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Solomon et al (US Pat No. 5,361,295) disclose a system and method in which a call received at an Intelligent Peripheral is forwarded to a destination with the call forwarding announcement.

Solomon et al (US Pat No. 4,878,239) disclose a system and method in which a call received at a centrex is transferred to a destination with the call with announcement.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

BING BUI
Jun 10, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', written over the printed name and title.